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PATENT
Attorney Docket No. 003-006C1

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By: Erica L. Canonizado
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

BENJAMIN PLESS et al.

Application No.: 09/698,357

Filed: October 27, 2000

For: APPARATUS AND METHOD FOR ABLATING TISSUE

Examiner: M. PEFFLEY

Art Unit: 3739

AMENDMENT

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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please enter the following preliminary amendment in this application.

IN THE CLAIMS:

Please cancel claims 1-25, 31, 33, 34 and 40-63 and add new claims 115-129 as follows:

115. (New) A method of ablating cardiac tissue from an epicardial location, comprising the steps of:

providing an ablating device having an ultrasound emitting element;

positioning the ablating device in contact with a location outside the patient's heart overlying a cardiac tissue structure to be ablated;

activating the ultrasonic emitting element at a first frequency to produce focused ultrasound energy which is directed at the tissue structure, the ultrasound emitting element being activated for a number of discrete time periods at the first frequency; and

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activating the ultrasound emitting element for a second period of time at a second frequency which is different than the first frequency, the second period of time occurring after the number of discrete time periods.

116. (New) The method of claim 115, wherein:

the activating steps are carried out with the first period of time being shorter than the second period of time.

117. (New) The method of claim 115, wherein:

the activating steps are carried out with the first period of time being less than 1 second.

118. (New) The method of claim 115, wherein:

the activating step is carried out by activating the ultrasound emitting element at a third frequency different than the first and second for a third period of time, the third period of time occurring after the number of discrete time periods and the second period of time.

119. (New) The method of claim 115, wherein:

the activating step is carried out with the first frequency being about 2-7 MHz and the second frequency being from 2-14 MHz.

120. (New) The method of claim 115, wherein:

the providing step is carried out with the ablating device producing focused energy having a focal length of 2 to 20 mm.

121. (New) The method of claim 115, further comprising the step of:

approximating a temperature using the ultrasound emitting element.

122. (New) The method of claim 115, further comprising the step of:

assessing the adequacy of contact between tissue and the device.

123. (New) The method of claim 115, further comprising the step of:

measuring a blood flow velocity with the ultrasound emitting element.

124. (New) The method of claim 115, further comprising the step of:

determining a tissue layer thickness using the ultrasound emitting element.

125. (New) The method of claim 124, wherein:

the determining step is carried out with the tissue layer being a tissue layer between a near surface and a far surface.

126. (New) Th method of claim 115, further comprising the step of:

moving the ultrasound beam after the activating step.